

PATENT  
450100-02315**REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

**I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 1-28 are currently pending. Claims 1, 4, 7, 10, 13, 17, 21 and 25 are independent. Claims 1, 4, 7, 10, 13, 17, 21 and 25 are hereby amended. No new matter has been introduced. Support for this amendment is provided throughout the Specification as originally filed and in particular on page 25, lines 6-22 and in FIGS. 8, 9. Changes to the claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

**II. REJECTIONS UNDER 35 U.S.C. §103(a)**

Claims 7-28 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 5,889,921 to Sugiyama et al. (hereinafter, merely "Sugiyama").

Claims 1-6 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,226,443 to Morioka et al, (hereinafter, merely "Morioka") in view of U.S. Patent No. 5,889,921 to Sugiyama et al.

Claim 1 recites, *inter alia*:

"...a plurality of record media that are random-accessible, in which each of said plurality of record media is operable to store therein at least two different types of data, each type

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of data being stored in a respective circumferential area of the media that is radially allocated. (emphasis added)

As understood by Applicants, Sugiyama relates to a digital video/audio recording and reproducing apparatus with an audio and video signal high efficiency encoder with a variable reduction rate. The variable reduction rates in both encoding means are controlled so that the sum of the amount of audio and video information encoded is maintained constant. Col. 3, line 56 to col. 4, line 1.

As understood by Applicants, Morioka relates to a recording and reproducing apparatus for recording and reproducing hybrid data. This includes recording video data and audio data onto a recording medium. Morioka discloses radially allocated recording areas of a hard disk drive (HDD) 8, FIG. 6. However, the radially allocated recording areas 41-44 record the respective output signals of the four DVCs in the corresponding recording areas. Col. 11, lines 55-64. The DVCs signals are the same type data. That is, the output signal of a DVC that includes both types of data, an audio and a video portion, is recorded in the respective sector.

In contrast, claim 1 recites that the different types of data are each recorded in a respective circumferential area of the media that is radially allocated. This is in opposition to Morioka that records same type data signals from respective DVCs, as discussed above. Further, Sugiyama does not even teach or suggest recording audio and video data in circumferential areas of the media that are radially allocated. Indeed, Sugiyama discloses variable compression of audio and video data to maintain a constant amount of information stored on magnetic tape.

Thus, Applicants respectfully submit that claim 1 is patentable over Sugiyama and Morioka because those references, either alone or in combination, do not disclose each and every element recited in the claim. In particular, the cited references do not teach or suggest, "a plurality of record media that are random-accessible, in which each of said plurality of record

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media is operable to store therein at least two different types of data, each type of data being stored in a respective circumferential area that is radially allocated," as recited in claim 1.

For reasons similar to those described above with regard to independent claim 1, amended independent claims 4, 7, 10, 13, 17, 21, and 25 are also believed to be patentable.

### III. DEPENDENT CLAIMS

The other claims and are dependent from one of the claims discussed above and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

### CONCLUSION

Claims 1-28 are in condition for allowance. In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

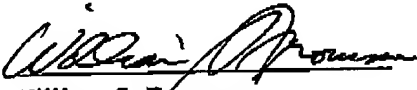
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In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP  
Attorneys for Applicants

By:   
William S. Frommer  
Reg. No. 25,506  
212) 588-0800